

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:13-CV-00013-RLV-DCK**

ANGELA SHOEMAKE,

Plaintiff,

v.

ELI LILLY AND COMPANY,

Defendant.

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ORDER

THIS MATTER IS BEFORE THE COURT on its own Motion. On January 27, 2016, the parties were ordered to file a stipulation of dismissal or, in the alternative, a request for extension of time on or before February 25, 2016. [Doc. No. 429]. At that time, this matter was set for trial during the March trial term. [Doc. No. 430]. On February 16, 2016, the parties informally contacted the Court to express the need for additional time to reach a final settlement in this matter. In response, on February 17, 2016, the Court *sua sponte* continued this case to its May trial term, and ordered the parties to file periodic status reports concerning their efforts toward settlement. *See* [Doc. No. 433]. However, the Court did not reset the parties' obligation to file a stipulation of dismissal or to formally seek an extension of time to do so by February 25, 2016. *Id.*

The Court, in its discretion, considers the parties' non-compliance with the January 27, 2016 Order to be the result of miscommunication and excusable neglect. *See* [Doc. No. 429]. In order to relieve the parties of any further confusion that may result, the Court hereby *sua sponte* resets such date and enters the following order:

IT IS, THEREFORE, ORDERED THAT

- (1) This matter shall remain on the Court's May trial term calendar per the Court's February 17, 2016 Order (Doc. No. 433);
- (2) The parties **shall file** a stipulation of dismissal or otherwise move for an extension of time no later than close of business on **March 28, 2016**;
- (3) The parties are reminded of their joint obligation to **file** periodic status reports in accordance with the Court's February 17, 2016 Order (Doc. No. 433); and
- (4) The parties are notified that any failure to abide by the Court's directives in either this Order or the February 17, 2016 Order may subject any one of them to sanctions, monetary or otherwise, at the Court's discretion.

SO ORDERED.

Signed: March 8, 2016

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
United States District Judge

